

# HOUSE BILL No. 1995

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 25-8.

**Synopsis:** Cosmetologists. Provides that a person who knowingly or intentionally practices cosmetology without a license commits a Class B misdemeanor. Enhances the offense to a Class A misdemeanor if the person has one prior unrelated conviction for practicing cosmetology without a license and enhances the offense to a Class D felony if the person has at least two prior unrelated convictions for practicing cosmetology without a license. Provides that, in addition to the established term of imprisonment for the particular class of offense, the following fines must be assessed against a person convicted of practicing cosmetology without a license: (1) For a Class B misdemeanor, a fine of at least \$250 and not more than \$1,000. (2) For a Class A misdemeanor, a fine of at least \$500 and not more than \$5,000. (3) For a Class D felony, a fine of at least \$1,000 and not more than \$10,000. Requires the Indiana professional licensing agency to employ a sufficient number of inspectors, investigators, and clerks to enforce the cosmetology licensing provisions.

**Effective:** July 1, 2001.

**Smith V**

January 17, 2001, read first time and referred to Committee on Courts and Criminal Code.



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Introduced

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

## HOUSE BILL No. 1995

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 25-8-3-24 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 24. The agency shall  
3 **provide** **employ a sufficient number of** inspectors, investigators, and  
4 clerks to enforce this article. The agency shall fix their compensation  
5 and reimburse them for their necessary expenses incurred in enforcing  
6 this article by payments from the state general fund under  
7 appropriations designated for that purpose.

8 SECTION 2. IC 25-8-14-5 IS AMENDED TO READ AS  
9 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 5. **Except as provided**  
10 **in section 5.5 of this chapter**, a person who

11 (1) violates any provision of this article ~~or~~  
12 (2) ~~performs any act authorized by a license issued under this~~  
13 ~~article without possessing a valid license to do so;~~  
14 commits a Class C infraction.

15 SECTION 3. IC 25-8-14-5.5 IS ADDED TO THE INDIANA CODE  
16 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
17 1, 2001]: **Sec. 5.5. (a) A person who knowingly or intentionally**

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1 performs an act authorized by a license issued under this article  
2 without possessing a valid license issued under this article commits  
3 a Class B misdemeanor. However, the offense is a:

4 (1) Class A misdemeanor if the person has one (1) prior  
5 unrelated conviction; and

6 (2) Class D felony if the person has at least two (2) prior  
7 unrelated convictions;

8 under this section.

9 (b) Notwithstanding:

10 (1) IC 35-50-3-3, and in addition to the term of imprisonment  
11 established under IC 35-50-3-3, the sentencing court shall  
12 impose a fine of at least two hundred fifty dollars (\$250) and  
13 not more than one thousand dollars (\$1,000) for the  
14 conviction of a Class B misdemeanor under this section.

15 (2) IC 35-50-3-2, and in addition to the term of imprisonment  
16 established under IC 35-50-3-2, the sentencing court shall  
17 impose a fine of at least five hundred dollars (\$500) and not  
18 more than five thousand dollars (\$5,000) for the conviction of  
19 a Class A misdemeanor under this section.

20 (3) IC 35-50-2-7(a), and in addition to the term of  
21 imprisonment established under IC 35-50-2-7(a), the  
22 sentencing court shall impose a fine of at least one thousand  
23 dollars (\$1,000) and not more than ten thousand dollars  
24 (\$10,000) for the conviction of a Class D felony under this  
25 section.

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